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**\*\*E-filed 8/25/08\*\***

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Attorneys for Defendants THE AMERICAN  
SOCIETY FOR REPRODUCTIVE  
MEDICINE and SOCIETY FOR ASSISTED  
REPRODUCTIVE TECHNOLOGY

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

OPTIONS NATIONAL FERTILITY  
REGISTRY, a California Corporation, and  
JESSICA and class of plaintiffs believed to be  
similarly situated (women egg donors whose  
eggs were allegedly given to unknown and  
unauthorized recipients via "egg sharing"  
without their informed consent, in violation of  
an existing legally binding contract),

Plaintiffs,

vs.

THE AMERICAN SOCIETY FOR  
REPRODUCTIVE MEDICINE; SOCIETY  
FOR ASSISTED REPRODUCTIVE  
TECHNOLOGY; DOES 1 through 102  
(REGISTERED INFERTILITY  
PHYSICIANS) AND DOES 103 through 1500  
(FERTILITY CLINICS AND ASSOCIATED  
PROFESSIONAL DEFENDANTS),

Defendants.

Case No. C 07 5238 JF

Complaint Filed: October 12, 2007

**SECOND STIPULATION TO CONTINUE  
HEARING DATE ON DEFENDANTS'  
MOTION TO DISMISS PLAINTIFFS'  
COMPLAINT FOR LACK OF SUBJECT  
MATTER JURISDICTION (FRCP  
12(b)(1)) OR ALTERNATIVELY,  
MOTION TO DISMISS FIRST, SECOND,  
AND THIRD CAUSES OF ACTION FOR  
FAILURE TO STATE A CLAIM (FRCP  
12(b)(6)) and MOTION TO DISMISS  
CLASS CLAIMS (FRCP 12(b)(6)) OR  
STRIKE CLASS ALLEGATIONS (FRCP  
12(f))**

NEW Hearing date: October 17, 2008  
Old Hearing date: September 5, 2008

Trial Date: None.

602479.1

**SECOND STIPULATION TO CONTINUE HEARING DATE ON DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT FOR LACK OF SUBJECT MATTER JURISDICTION OR ALT., MOT TO  
DISMISS 1ST, 2ND, & 3RD C/A FOR FAILURE TO STATE A CLAIM & MOT TO DISMISS CLASS  
CLAIMS OR STRIKE CLASS ALLEGATIONS**

1 Plaintiffs and defendants The American Society for Reproductive Medicine and  
2 Society for Assisted Reproductive Technology, appearing by and through their respective counsel,  
3 hereby stipulate as follows:

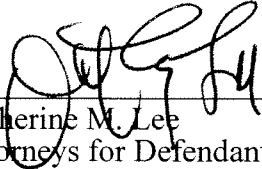
4 1. At the request of plaintiff's counsel, the hearing of defendants' pending  
5 Motion to Dismiss shall be continued from September 5, 2008 to **October 17, 2008**.

6 2. Plaintiff shall file and serve any opposition to defendants' Motion to  
7 Dismiss by no later than **September 26, 2008**.

8  
9 Respectfully submitted,  
10 DATED: August \_\_, 2008 LAW OFFICES OF STANLEY G. HILTON

11  
12 By: \_\_\_\_\_  
13 Stanley G. Hilton  
Attorneys for Plaintiffs

14 DATED: August 22, 2008 MUSICK, PEELER & GARRETT LLP

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16 By:  \_\_\_\_\_  
17 Catherine M. Lee  
18 Attorneys for Defendants THE AMERICAN  
19 SOCIETY FOR REPRODUCTIVE MEDICINE  
20 and SOCIETY FOR ASSISTED  
21 REPRODUCTIVE TECHNOLOGY  
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1 Plaintiffs and defendants The American Society for Reproductive Medicine and  
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10 DATED: August 22, 2008

Respectfully submitted,

LAW OFFICES OF STANLEY G. HILTON

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By:   
Stanley G. Hilton  
Attorneys for Plaintiffs

14 DATED: August \_\_, 2008

MUSICK, PEELER & GARRETT LLP

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By: \_\_\_\_\_  
Catherine M. Lee  
Attorneys for Defendants THE AMERICAN  
SOCIETY FOR REPRODUCTIVE MEDICINE  
and SOCIETY FOR ASSISTED  
REPRODUCTIVE TECHNOLOGY

21 IT IS SO ORDERED. 8/25/08

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Judge Jeremy Fogel, US District Court